

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**Delshone Thomas and Gwendolyn
Cheney,**

Plaintiffs,

v.

**Georgia Department of Community
Health; and Caylee Noggle, in her
official capacity as Commissioner of
the Georgia Department of
Community Health,**

Defendants.

Civil Action No.

1:21-CV-02558-LMM

**CONSENT MOTION FOR MEDIATION
AND TO STAY PROCEEDINGS AND DISCOVERY**

COME NOW the parties in the above-styled action, by and through counsel, and hereby moves this Court to refer the instant case to mediation with a U.S. Magistrate Judge. The parties jointly request a stay of all proceedings in this matter, including discovery, pending outcome of the mediation. Plaintiffs request that such stay not last longer than 30 days following the referral of the case to mediation, while Defendants request that such stay remain until the conclusion of the mediation, if it cannot be scheduled within the 30 days sought by the parties. Because this request is not being made for the purposes of delay, but in the spirit of making a sincere effort at resolving the case without the continued expenditure of

resources, the parties respectfully request that, if at all possible, that the mediation be scheduled within the next 30 days in order that the discovery continue in a timely manner should an agreement not be reached.

The parties initially held a settlement conference on July 30, 2021, after which they engaged in settlement negotiations. The parties held an additional settlement conference on October 15, 2021. At that time, the case did not settle.

After the exchange of documents between the parties and other written discovery, Defendants have reached out to Plaintiffs to seek mediation of the case prior to the additional expenditure of further resources of both parties. Accordingly, the parties are now at a point where they wish to engage in mediation. Therefore, the parties request that this Court order mediation and stay proceedings and discovery.

In the interests of judicial efficiency and justice, the parties respectfully request that all proceedings, discovery, and deadlines be stayed consistent with the timelines set forth in this motion.

This 8th day of March, 2022.

Respectfully submitted,

CHRISTOPHER M. CARR 112505
Attorney General

(Signatures continued on following page)

/s/BRYAN K. WEBB

BRYAN K. WEBB 743580
Deputy Attorney General

/s/SHALEN S. NELSON

SHALEN S. NELSON 636575
Senior Assistant Attorney General

/s/MICHELLE W. LEGRANDE

MICHELLE W. LEGRANDE 714924
Senior Assistant Attorney General

Bryan K. Webb
Michelle W. LeGrande
Office of the Attorney General
40 Capitol Square, S.W.
Atlanta, Georgia 30334-1300
(404) 458-3623 (Direct)
E-mail: mlegrande@law.ga.gov

CERTIFICATION OF COMPLIANCE WITH RULE AND ORDER

I hereby certify that the forgoing CONSENT MOTION FOR MEDIATION AND TO STAY PROCEEDINGS AND DISCOVERY was prepared in 14-point Times New Roman font in compliance with Local Rule 5.1(C).

/s/ MICHELLE W. LEGRANDE
MICHELLE W. LEGRANDE
Senior Assistant Attorney General
Georgia Bar No. 714924

Bryan K. Webb
Michelle W. LeGrande
Office of the Attorney General
40 Capitol Square, S.W.
Atlanta, Georgia 30334-1300
(404) 458-3623 (Direct)
E-mail: mlegrande@law.ga.gov